

Evening Telegraph

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MONDAY, OCTOBER 18, 1869.

THE CONTESTED ELECTION CASES.

The decision rendered by a majority of the Court of Common Pleas on Saturday, on the contested election cases, is a document of great interest and importance. In the fall of 1868 the Democracy of Philadelphia organized and perpetrated the most gigantic election frauds ever attempted in this city. Rendered desperate by repeated defeats on the one hand, and encouraged and emboldened by the aid received through Andrew Johnson's treachery and the active assistance of the whisky ring on the other, they made the most desperate and villainous efforts known in our political annals to achieve at once city, State, and national ascendancy. At the outset they began by creating voters out of newly arrived emigrants without the slightest regard to the requirements of the law, and without even a serious effort to prove in a satisfactory manner that the necessary conditions of citizenship had been fulfilled. It is known that forged naturalization papers were in circulation, that men were suborned to swear to the continued residence of emigrants with whom they were totally unacquainted, and that the Supreme Court issued six thousand certificates of citizenship in a period so brief that a proper investigation of the questions involved was totally impossible. As all difficulties arising from length of residence were practically surmounted either by perjury, forgery, or the neglectful manner in which naturalization papers were issued, it can scarcely be doubted that the Democratic city ticket received from this source alone more votes to which it was not in justice entitled than its entire majority. And yet, the main defence of the respondents to the charges based on the innumerable frauds of other descriptions is that they were not permitted in all instances to reap the full benefits of the false naturalization branch of their iniquitous campaign! Unfortunately, it was not in the power of the Court of Common Pleas to inquire into the validity of the naturalization papers which had been so hastily and, in many instances, improperly granted, but it very wisely and justly disregarded the demand of the respondents that the vote of certain Republican divisions should be thrown out on account of the rejection of these tainted certificates.

It was not merely by men in buckram of foreign birth that the Democratic leaders proposed to defeat the will of a majority of the bona fide citizens of Philadelphia. Gangs of personators were organized from among our own Democratic desperadoes and their kindred of other cities, and they voted at not only one but a series of polls under Democratic management, and in some divisions they voted not only once but on repeated occasions. It is a part of the judicial history of the election that not only this glaring species of fraud, but nearly every other conceivable description of partisan rascality, was committed at and encouraged by the Democratic election officers of certain divisions. They had evidently been selected in consequence of their known skill and unscrupulousness in aiding and abetting frauds on behalf of their party, and setting out with the determination to yield full compliance with the behests of their fellow-partisans, they disregarded all the essential requirements of the law, and admitted every vote offered for the Democratic ticket, without reference to its legality. For abuses of this description, which had been growing worse and worse in certain divisions for a series of years, there could be no other remedy than that applied by the majority of the court, of throwing out the entire vote. This action was necessary not only to ensure substantial justice in regard to the contest of 1868, but to teach the rascals who are attempting to override the popular will that they can derive no permanent advantage from similar frauds hereafter.

The right of the Judges to adopt this stringent remedy is manifest, not only from the tenor of Judge Brewster's decision, but from the weak manner in which it is combated by Judge Ludlow. In acknowledging that the entire vote of certain divisions have heretofore been thrown out by the Judges in this city as well as by other courts, he grants the whole case, without weakening it in the slightest degree by his accompanying statement that the previous rejections of votes presumed to be illegal did not affect the result. The only thing at issue is the principle, and if this is fortified by precedent as well as reason and justice, the magnitude of the interests affected by it heretofore is of no moment. If a rule is good for the disposal of a case involving the title to a petty office, it is equally good for the disposal of all the political prizes in the Bow.

While there is no lack of confidence in the proposed new District Attorney, Mr. Gibbons, the Democratic incumbent, Furman Sheppard, has displayed so much ability, integrity, courage, and industry in discharging the responsible duties of his office, that a very general feeling of regret prevails, among Republicans as well as Democrats, that the Judges decided his opponent to be legally elected. It is barely possible that this portion of the decision rendered on Saturday may be overruled by the Supreme Court; and Mr. Sheppard's counsel will no doubt earnestly contend that the vote of one or two Republican precincts in which the proceedings were riotous and irregular should also

be thrown out. If this view is sustained, the people will secure a continuance of Mr. Sheppard's useful services.

THE RESIGNATION OF SURGEON GREEN.

The case of Assistant Surgeon Charles L. Green has excited much attention all over the country, and, with the exception of the Washington Chronicle and the New York Times, there has been but one opinion expressed with regard to it by the press. Mr. Green was found guilty by a naval court-martial, and sentenced to a severe and degrading punishment for declining to declare a sick man to be well at the bidding of his commanding officer. The injustice of this sentence was practically acknowledged by the Secretary of the Navy, who remitted the penalties imposed, and contented himself with administering a mild rebuke to the offender. It will readily be seen that Mr. Green was placed in a very peculiar dilemma. If he refused to obey the order of his commander in this matter he was certain of but one thing—a court-martial and a degrading sentence. If he had obeyed, and the man who was under his medical care had died, exactly the same fate would have awaited him, for no court-martial would have admitted such an order as Surgeon Green received from the commander of the Nipsic as an excuse for the death of a sailor of whose condition the medical officer of the ship alone could judge. We are not surprised, therefore, to hear that Surgeon Green has resigned his commission, for there was no other course open to him if he had any self-respect or professional pride. The merits of his case are perfectly plain to all except the martinets who control the affairs of the navy; and it is perfectly useless for any one to contend that the punishment of this surgeon was necessary for the maintenance of discipline. To unprejudiced minds it would seem that the well-being of the service would have been promoted much more if the commanding officer, whose abuse of the authority placed in his hands caused all the difficulty, had been brought to justice. There is a limit even to the supreme authority of the commander of a United States naval vessel; and with the repeated complaints of cruelty that have been made of late, it is certainly high time that the Secretary had made some motion towards investigating the cases that have been exploited abroad through the public press to the great scandal of the service.

The moral of Surgeon Green's case, however, extends beyond the individual sufferer. It shows conclusively that there is an urgent necessity that Congress should take in hand the whole subject of naval management, and in an impartial and judicial spirit define with as much exactness as possible the limitation of each officer's rights, privileges, and duties. Matters certainly can be regulated so that there need be no clashing of authority, as there always will be under the present loose system, that leaves nearly everything to the discretion of the line officers. It is absolutely necessary that the medical and engineer corps of the navy shall be filled with competent men, and if competent men are expected to enter them they must be protected, whether the graduates of the Naval Academy like it or not. As matters now are, there is no inducement for educated surgeons and engineers to enter the service; and the best men in all the branches of the staff are so thoroughly disgusted with their present status, that they leave the navy whenever they have an opportunity to do so, and there are no persons of first-rate ability to step in and take their places. The examinations that surgeons and engineers have to pass are very severe, as they ought to be, for it is not desirable that any but first-rate men should be admitted into the service. The rate of pay, of itself, however, is not sufficient to tempt the best men into any of the staff corps, and if other inducements are not offered they will give the navy a wide berth. Above all, they must be assured of gentlemanly treatment and protection from insult. Any surgeon or engineer who is competent to pass a naval examination is certainly able to make more money on shore or in the merchant service than his salary will amount to; and until the Naval Academy is able to turn out thoroughly trained doctors and engineers, it is eminently desirable that the highest standard of excellence should be maintained in the staff by the exclusion of all half-educated and weak-principled men, who will content to be only subservient tools to carry out the whims and fancies of the line.

This cannot be done under the present system, and there is already a difficulty in filling the vacancies that exist in the medical staff, and it is likely that there always will be until a reform takes place, or another war breaks out that will induce gentlemen to make any personal sacrifice for the sake of serving the country.

OBITUARY.

Joseph Ritner, Ex-Governor of Pennsylvania, the venerable ex-governor of this Commonwealth, died on Saturday, at the residence of his son in Carlisle. He was born near the city of Reading, in Berks county, on the 20th of March, 1780, and was therefore in his ninetieth year at the time of his death. He belonged to one of the old Dutch families of the State, and was a true type of his curious class, lacking depth and brilliancy, but endowed with earnestness and solidity of character. Six months' instruction in a private school of rather mean pretensions comprised all the education that he received in his youth. When a mere lad he removed from Berks to Cumberland county, where he hired himself out to a farmer, remaining in this humble position until the time of his marriage, at the age of twenty. A few years after he again migrated, removing to Westmoreland county, and finally to Washington county, in the western part of the State. Not until he was well advanced in years did he enter upon his political career. In 1830 he was elected to the lower house of the State Legislature as a Whig, serving in that body during seven consecutive years, and acting as Speaker of the House during the last two years of his term. He used to tell an anecdote concerning his early political experience which gives a fair insight into his character. After he had retired on the evening of the day which witnessed his first nomination to the Legislature, he found his wife in tears, and lamenting the cause, he learned that his near neighbor, the miller, was going to Taylorstown the next day to electioneer against him. "Quit sobbing, my dear," responded the sturdy Dutchman; "I will go too, about 10 o'clock, and if he abuses me I will lick him!" Having once entered into the political strifes of the period, he rose rapidly to prominence, but in 1835, on retiring from the House, he was defeated as the Whig candidate for the State Senate in his district. He then entered the gubernatorial field, and was twice defeated as a candidate for the highest office in the Commonwealth before a split in the opposition ranks presented the opportunity which resulted in his election. At this period the State was so hopelessly Democratic that the agitation of the old issues gave no prospect to their opponents of hurting them from power. In this dilemma the anti-Masonic movement was originated, and Thaddeus Stevens becoming its inspiration, while Ritner was its ostensible leader. Some of the most intimate friends of the latter were connected with the Masonic organization, and he always claimed that he entertained no personal animosity against the members of the order, being simply opposed to Masonry as a system, because he believed its machinery to be liable to abuse in the hands of ambitious and designing men, and in this way a danger to the free institutions of the country. His connection with the anti-Masonic movement was the source of much hostility to him during each of his candidacies, and ultimately led to his defeat in 1838, when he was a candidate for re-election. But it served to rally around him a formidable party in the State at a time when it was mostly impossible to make a successful stand against the overwhelming tide of Democracy on the ordinary political issues. His first nomination for the Governorship was received in 1829, with opposition to Masonry as the most prominent plank in his platform. Three years before, Governor Schuylke had been elected by an almost unanimous vote, snowing how complete was the demoralization of the opposition. Ritner received nearly fifty-two thousand votes, but George Wolf, his Democratic opponent, had a majority of over twenty-six thousand. In 1832 he again became the anti-Masonic candidate for Governor, receiving 38,105 votes, while Wolf, who was a candidate for re-election, had 91,335 votes, and a majority of 53,230. The strength of the anti-Masonic movement at this time is shown by the fact that, while Andrew Jackson the same year received almost as many votes as Wolf, his three competitors for the Presidency were able to rally but sixty-six thousand of the voters of Pennsylvania around them. The Democracy, however, failed to profit by the lesson which the closeness of the vote on the Governorship should have taught them, and in 1835 there was a split in their ranks. Wolf had already held the office for six years, and aspired to a third term. The patronage at the disposal of the Chief Magistrate of the State was much greater than under the present Constitution, nearly all the county officers being subject to his appointment. All the Democratic politicians who had failed to secure the ear of Governor Wolf, therefore arrayed themselves against him and clamored for a change. A strong opposition to his re-election also sprung from his devotion to the cause of popular education, of which he was one of the earliest and most steadfast advocates, and virtually the father of our present admirable public school system. The opposition to Wolf's re-election in the Democratic ranks was centered upon F. A. Muhlenberg, a member of one of the most aristocratic families in the State, and, aside from his enmity to the cause of popular education, a man of liberal views. Ritner for the third time received the anti-Masonic nomination, and the vote stood, for Ritner, 94,923; for Wolf, 65,301, and for Muhlenberg, 49,586. Although Ritner's vote was over twelve thousand less than the combined vote of his two opponents, he became Governor by virtue of his plurality of twenty-eight thousand.

Among the first of the noticeable actions which distinguished his administration was the noble stand taken by him on the slavery question. At that time the slave oligarchy of the South wielded supreme power throughout the country, and it was quite as unsafe to avow sentiments in opposition to "the peculiar institution" in the free State of Pennsylvania as in any of the slave States of the South. But the sturdy Dutch Governor of the State was beyond the reach of fear, and in his message to the Legislature, in 1836, avowed his purpose to "bend the knee no longer to Baal." Whittier commemorated this first official protest against the iniquity of slavery in one of the most earnest of his anti-slavery poems, commencing with the following stanza:—"Thank God for the token—one lip is still free—One spirit unshackled—submitting one knee—Like the oak of the mountain, deep rooted and firm—Ere yet the multitude bends to the storm;—When traitors to freedom and honor have fled—Are bowed as an idol polluted with blood;—When the righteous have forsaken their trust—And the lip of her honor is low in the dust.—Thank God that one arm from the shackle has broken!—Thank God that one man, as a freeman, has spoken!" Thaddeus Stevens was universally regarded as the keeper of the gubernatorial conscience of Ritner, and doubtless inspired, even if he did not write, the message; but it required no small amount of courage and conviction to assume the responsibility for these noble words, and to that merit, at least, Ritner has unquestionable claim.

The great United States Bank question also figured prominently during his term of office. President Jackson having vetoed the bill extending the charter of this institution, the Legislature of Pennsylvania, in 1836, granted a charter under which the bank continued its operations until its final suspension in October, 1839. When Governor Ritner signed the charter granted by the Legislature, his political opponents united in charging him with having accepted a bribe for so doing. His earnest devotion to the cause of popular education was the occasion of this charge. Although he had himself enjoyed none of the benefits of a liberal education, he became thoroughly convinced of its utility, and contributed as much as any other man to the final success of the school system of the State. When the bill rechartering the bank was presented to him for approval, he professed to be opposed to the policy of the measure, but finally consented to affix his signature on condition that "Nick Biddle's Bank" should pay a large bonus to the State, to be appropriated to the erection of school houses under the then new school law. The bonus was paid, and the bill was signed, but whether the Governor actually accepted a bribe must remain in doubt, although it is known that an attempt to influence him in this manner was contemplated. Ritner's term of office would have expired in December, 1838, but the new constitution extended it to January, 1839. At the election of 1838, he was, for the fourth time, the anti-Masonic candidate for Governor, but his opposition to Masonry insured his defeat by David R. Porter, whose majority, however, was but 5496. The contest was very bitter, and from Philadelphia county two sets of candidates claimed election to the lower house of the Legislature. Governor Ritner also professed to be let by the frauds there perpetrated had been cheated out of the succession. From this belief arose the famous "Bucksnot War," one of the most curious and exciting episodes in the history of this State. The opponents of the Governor believed that an attempt would be made to resist the inauguration of his successor by force, and that Ritner intended to take possession of the duties of the office until an investigation could be made into the alleged frauds. To this some color was given by an address issued soon after the election by Thomas H. Burrows, Chairman of the State Committee, in which he advised the friends of Governor Ritner, until an investigation had been made, to treat the result as if they had not been defeated. This brought a mob to the Capital, and the Senate Chamber was taken possession of by the multitude on the day when the Senate organized. The other branch of the Legislature was divided into two factions, each regularly organized and claiming recognition from the Senate and the Governor. Ritner became greatly alarmed, and called upon the militia to suppress the apprehended outbreak. A liberal response was made by the militia, who marched to the Capital in considerable numbers, but a request made to the Federal Government for troops was refused. No actual conflict occurred between the militia and the mob, and "the Bucksnot War" spent its force in mere words, and the diffi-

culty was finally settled by the Senate recognizing the House of which William Hopkins, Democrat, had been chosen Speaker. In 1840, Governor Ritner was chosen a Presidential elector on the Whig ticket, casting his vote for General Harrison. He demanded from him the office of Collector of the port of Philadelphia, which he did not receive. He was, however, appointed Treasurer of the Mint in this city by President Tyler, but held the position a few months only, owing to the failure of his construction in the Senate. He always accused Henry Clay with this defeat, putting Clay's opposition on the ground of Masonry. On retiring from this office he became lost to public view, and passed the remaining years of his life in entire repose.

John W. Claghorn. At 6 o'clock yesterday morning Mr. John W. Claghorn, one of the most respected and benevolent citizens of this city, died at his residence on Arch street, after an illness of but a few days. The deceased, although in the eighty-first year of his age, enjoyed comparatively good health until the past year, and met manfully and as a Christian all the responsibilities his wealth and position in society imposed upon him.

Mr. Claghorn was born at Rochester, Mass., Aug. 25, 1788, and removed to Philadelphia from Boston in the year 1811. In the war with England in 1812, he enlisted and served as a volunteer. On his honorable discharge in 1813, he engaged in the wholesale grocery business on North Third street, and soon entered the house of Gill, Canong & Co., auctioneers. This firm was subsequently changed to Jennings, Thomas, Gill & Co., and Mr. Claghorn was a partner. The late John B. Myers were made junior partners. The two latter gentlemen, in January, 1841, formed the firm of Myers & Claghorn, which afterwards became the leading auction house in this city. In 1841, Mr. Claghorn retired from this firm and associated himself with Thomas Robins, Esq., and the late Marshall Hill, under the title of High-toned, conscientious dealers. A course of high-toned, conscientious dealing enabled Mr. Claghorn to accumulate a fortune princely for merchants twenty-five years ago, and to retire from business pursuits in a few years. The remaining years of the deceased were devoted to the claims of Christian and benevolent enterprises.

He was for twenty-five years accounting warden of Grace (P. E.) Church; for over twenty years treasurer of the Pennsylvania Bible Society; for over twenty years a manager of the Union Benevolent Association and of the House of Refuge; and for a like number of years a director of the Philadelphia Bank, and an active manager and treasurer of the Northern Home for Friendless Children since its formation, as well as of the Merchants' Fund. These services, though unostentatious, were of far more value to the community than those rendered by many in public capacities. In every position of life to which he was assigned, the deceased did his duty, and his whole duty, and, dying, left to his children the honor of a name made memorable by the good deeds of a score of years.

THE NOVEMBER MAGAZINES.—The November number of Lippincott's Magazine has the following table of contents:—

"The Vicar of Bullhampton," by Anthony Trollope; part v.; with two illustrations. "Daughters of Toil," a poem; by Evangeline M. Johnson. "Wear and Tear;" by Dr. S. Weir Mitchell. "Murder Most Foul;" by W. C. Elm. "Fiel;" by Charles Morris. "A Carol;" by R. H. Stoddard. "Beyond the Breakers;" a novel; part xi.; by Hon. Robert Dale Owen. "The Satisfaction Usual Among Gentlemen;" by Joseph J. Reed. "The Great Flood;" by J. Franklin Pitts. "Jail to Jerusalem;" by Henry A. Brown. "Watching for Dawn;" a poem; by Professor Henry Hartshorne. "George D. Prentiss;" by Charles G. Shanks. "First and Last of the Buccaneers;" by W. L. Stone. "Recollections of an Attaché;" by R. M. Walsh. "Our Monthly Gospel;" "Literature of the Day."

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